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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**

8 TRAVIS SHANLEY, an individual, on behalf
9 of himself and all other aggrieved employees,

10 Plaintiff,

11 v.

12 TRACY LOGISTICS LLC; STOCKTON
13 LOGISTICS LLC; FRESNO LOGISTICS
14 LLC; SACRAMENTO LOGISTICS, LLC;
15 C&S WHOLESALE GROCERS, LLC
16 FORMERLY C&S WHOLESALE
17 GROCERS INC.; C&S LOGISTICS OF
18 SACRAMENTO/TRACY LLC; C&S
19 LOGISTICS OF FRESNO LLC; and DOES 1
20 through 10, Inclusive,

21 Defendants.

22 CASE NO. 2:23-CV-02586-MCE-JDP
23 [PAGA Action]

24 RELATED
25 CASE NO. 2:23-cv-02608-MCE-JDP
26 [Declaratory Relief Action]

27 **ORDER GRANTING STIPULATION TO
28 CONTINUE DEFENDANTS' RESPONSIVE
PLEADING DEADLINE PENDING
POTENTIAL MOTION TO REMAND**

29 TRAVIS SHANLEY, an individual, on behalf
30 of himself and all other aggrieved employees,

31 Plaintiff,

32 v.

33 TRACY LOGISTICS LLC; STOCKTON
34 LOGISTICS LLC; FRESNO LOGISTICS
35 LLC; SACRAMENTO LOGISTICS, LLC;
36 C&S WHOLESALE GROCERS, LLC
37 FORMERLY C&S WHOLESALE
38 GROCERS INC.; C&S LOGISTICS OF
39 SACRAMENTO/TRACY LLC; C&S
40 LOGISTICS OF FRESNO LLC; and DOES 1
41 through 10, Inclusive,

42 Defendants.

ORDER

Having reviewed and considered the Parties' Stipulation to Continue Defendants' Responsive Pleading Deadline Pending Potential Motion to Remand (the "Stipulation"), and good cause appearing for the relief requested therein, the Stipulation shall be and hereby is **GRANTED** as follows, using the same defined terms as defined and used in the Stipulation:

1. Plaintiff will file any Motion to Remand in this action on or before December 20, 2023;
2. In light of the intervening Christmas and New Year's holidays after any filing of any Motion to Remand by Plaintiff in this action, and the fact that there likely will be two Motions to Remand to be opposed in both Related Actions, Defendants' deadline to file any Opposition to any filed Motion to Remand in this action will be January 30, 2024;
3. Plaintiff's deadline to file any Reply to Defendants' filed Opposition to any filed Motion to Remand in this action will be February 15, 2024;
4. Plaintiff will notice the hearing on any filed Motion to Remand on a hearing date available on the Court's motions calendar no earlier than three (3) weeks after the filing of his Reply, and, if Plaintiff files Motions to Remand in both Related Actions, they will both be noticed for hearing on the same hearing date;
5. Upon Plaintiff filing any Motions to Remand in either of the Related Actions, Defendants' deadline to serve and file any answer, motions, or other pleadings responsive to Plaintiff's Complaint in this action will be extended to 28 days after entry of an Order by the Court denying or otherwise ruling on the last of the filed Motion(s) to Remand in the Related Action(s);
6. If, however, no Motions to Remand are filed in any of the Related Actions on or before December 20, 2023, then Defendants' deadline to serve and file any answer, motions, or other pleadings responsive to Plaintiff's Complaint in this action will be extended to January 30, 2024; and

1 7. By entering into their Stipulation, the Parties do not waive and expressly reserve all
2 claims, defenses, and challenges in this action, including, without limitation, as to
3 arbitration of Plaintiff's claims and to Plaintiff's Complaint and/or the claims asserted
4 therein, and/or the entry of other orders by the Court regarding the further sequencing
5 of the proceedings in either or both of the Related Actions.

6 IT IS SO ORDERED.

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8 Dated: December 12, 2023

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11 MORRISON C. ENGLAND, JR.
12 SENIOR UNITED STATES DISTRICT JUDGE

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BAKER & HOSTETLER LLP
ATTORNEYS AT LAW
LOS ANGELES